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November 25, 2014

**VIA E-MAIL**

Ms. Jhana Enders  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Suite 1200, Mail Code: 6SF  
Dallas, TX 75202-2733

**Re: U.S. Environmental Protection Agency, DuPont La Porte, November 17, 2014  
Requests for Documents - Production 1**

Dear Ms. Enders:

In connection with the above-referenced request by the U.S. Environmental Protection Agency ("EPA"), E.I. du Pont de Nemours and Company ("DuPont" or "Company") is providing you with documents responsive to your November 17, 2014 request.

Please note that some of the information that the Company is providing constitutes confidential trade secrets and commercial or financial information ("Confidential Business Information" or "CBI") exempted from public disclosure under 5 U.S.C. § 552(b)(4) and subject to a claim of confidentiality under 40 C.F.R. § 2.208. Confidential business information gathered under the authority of Section 114 of the Clean Air Act is subject to 40 CFR § 2.301 and appropriate steps should be taken to properly safeguard the information. 40 C.F.R. § 2.211. We have marked specific documents as CBI where appropriate. Please treat these documents and the information they contain as confidential, as provided by the Freedom of Information Act or equivalent state law.

Similarly, to the extent your requests seek personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy, such information is exempt from disclosure under 5 U.S.C. § 552(b)(6) and subject to a claim of confidentiality under 40 C.F.R. § 2.210. We have marked those documents as confidential. Please treat these documents and the information they contain as confidential, as provided by the Freedom of Information Act or equivalent state law.

Please note that the responses provided below contain Confidential Business Information exempted from public disclosure under 5 U.S.C. § 552(b)(4) and subject to a claim of confidentiality under 40 C.F.R. § 2.208.

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**Email Request 1-01, November 17, 2014 at 1:30 PM CST: MSDS sheets for any chemicals involved in the incident. Due to the transfer going on today, (b) (4) is a priority if possible.**

RESPONSE

In response to this request, the DuPont is providing copies of the MSDSs for (b) (4) methyl mercaptan, methanol, (b) (4), and (b) (4) (b) (4)

**Email Request 1-02, November 17, 2014 at 1:30 PM CST: Chemical Safety Board Contact.**

RESPONSE

The Company's Chemical Safety Board Contact is:

Johnnie Banks  
Office (202) 261-7601  
Cell (202) 441-6092  
[johnnie.banks@csb.gov](mailto:johnnie.banks@csb.gov)

**\*THE FOLLOWING REQUEST CONTAINS CONFIDENTIAL BUSINESS INFORMATION\***

(b) (4)

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(b) (4)



The Company will provide updates to the Agency as more information becomes available. Please ensure that the Agency's stakeholders understand these are preliminary estimates and are not the basis for calculating a release.

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(b) (4)



(b) (4)



Under Federal Rule of Evidence 502, the disclosure of such information does not operate as a waiver in a federal or state proceeding if: (1) the disclosure is inadvertent, (2) the company took reasonable steps to prevent the disclosure, and (3) the company took reasonable steps to rectify the error. FED. R. EVID. 502(b). "The rule applies to inadvertent disclosures made to a federal office or agency, including but not limited to an office or agency that is acting in the course of its regulatory, investigative, or enforcement authority." Explanatory Notes, Rule 502, Judicial Conference Advisory Committee on Evidence Rules, revised Nov. 28, 2007. Please immediately notify me if you discover information in this production that suggests the document is subject to the attorney-client privilege or protected by the work-product doctrine.

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(b) (4)



RESPONSE

(b) (4)



Email Request 3-01, November 17, 2014 at 5:23 PM CST: (b) (4)

(b) (4)



RESPONSE

(b) (4)



Email Request 3-02, November 17, 2014 at 5:23 PM CST: The Risk Management Plan (RMP) submitted by Dupont shows 122,000 (no units provided) of Methyl Mercaptan onsite. Is this amount still correct and could you please provide the units.

Clarification to Email Request 3-02, November 17, 2014 at 7:33 PM CST: Need the amount of methyl mercaptan onsite at the time of the incident

RESPONSE

As indicated by an email sent from Robert Doremus on November 18, 2014 at 3:23 PM CST:

The investigation into the November 15, 2014 incident is ongoing, and the precise time of the incident has not yet been determined. (b) (4)

(b) (4)



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If you have any questions, please do not hesitate to contact me at 512-691-4007.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Collins". The signature is written in a cursive, slightly stylized font.

Kevin D. Collins